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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/950,760	10/15/97	WOLLRATH A	06502.0063-0

LM02/0913

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EXAMINER
LAO,S

ART UNIT	PAPER NUMBER
2755	13

DATE MAILED:
                          09/13/00

Please find below and/or attached an Office communication concerning this application or pr ceeding.

Commissioner of Patents and Trademarks

☒ Responsive to communication(s) filed on _Jul 13, 2000_

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*,935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____3___ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) _54-69_____ is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) _54-69_____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None   of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

1.   The request filed on 2/3/2000 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/950,760 is acceptable and a CPA has been established. An action on the CPA follows.

2.   Claims 54-69 are pending. This action is in response to the amendment filed 7/13/2000. Applicant has canceled claims 28-53 and added claims 54-69.

3.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4.   Claim 67 is objected to because of the following informalities: Claim 67 recites "..., the determines whether ..." on line 8, which appears to be "..., that determines whether ...". Appropriate correction is required.

5.   Claims 54-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezviner et al (US #5,613,148) in view of Edwards et al (US #5,901,315).

        As to claim 58, Bezviner teaches a method in a data processing system (DSOM runtime) having associated objects (server instances), the method comprising:
- receiving from a remote source a request to access one of the objects (col 5, lines 7 - 11);
- determining whether the requested object is active (col 7, lines 38 - 64);
- activating the requested object when it is inactive (col 7, lines 38 - 64).
        Bezviner does not teach (1) the requested object is in a group of objects, (2) activation of the requested object is in a virtual machine associated with the group of objects.

As to (1)-(2), Edwards teaches data processing method, including a requested object (Java code portion) in a group of objects (target application comprising both portions of Java code and portions of native C/C++ code), activating a virtual machine (launch a Java virtual machine) associated with the group of objects before activating the requested object in the virtual machine (then run the target application under Java VM). In the case where there is a virtual machine associated with (single-machine solution, host machine), VM activation is not performed before activating requested object (Java debugger API 20). See col. 2, lines 5-7, 21-24; col. 4, lines 34-34, 41-57, 65-67; col. 5, lines 1-8, 36-55; col. 9, lines 13-39. Since Bezviner identifies operating in different environments (col. 2, lines 1-37) and Edwards provides a mechanism to do so, it would have been obvious to combine the teachings, which meets the claimed limitations.

As to claim 59, Bezviner as modified by Edwards teaches accessing the activated object (Bezviner: service provided by a server object instance) (Edwards: debugging a Java code portion).

As to claim 60, Bezviner as modified by Edwards teaches Java virtual machine (Java virtual machine) (discussion of claim 58).

As to claim 54, note the rejection of claim 58, in particular discussion of Edwards with respect to activating/launching a VM before activating a requested object under the activated VM. As to at least one other object in the group remains inactive, it is met by parts of the Java code of the target application not being currently debugged since debugging is typically preformed line by line or block by block.

As to claims 55 and 57, note discussion of claims 59 and 60, respectively.

As to claim 56, it is covered by claim 58.

As to claims 61-64, these are the program product claims of claims 54-57, respectively. Note corresponding claims for rejections.

As to claims 65-66, these are the program product claims of claims 58-59, respectively. Note corresponding claims for rejections.

As to claim 67, it is covered by claim 54 except for and also met by Bezviner as modified by Edwards: first computer (Bezviner: client machine; Edwards: debugger client), second computer (Bezviner: server machine; Edwards: target machine), process on first machine (client), object activator on second machine (Bezviner: DSOM modified by Edwards: javaprobe) (discussion of claim 58).

As to claim 68, it is covered by claim 58 and further note discussion of claim 67 for first computer, second computer and object activator. Locating the VM is inherent to activating it or determining it is already associated with the objects (ie, active).

As to claim 69, it is an apparatus claim of claim 54. Note rejection of claim 54.

6.   Applicant's arguments filed 7/13/2000 have been considered but are moot in view of the new ground(s) of rejection.

Edwards is cited to teach inter-operating between different programming environments, represented by debugging a target application which comprises portions of Java code (which requires Java VM to run and debug) and portions of C/C++ code (which does not require Java VM to run and debug). When the Java code portions are debugged, the Java VM is first activated/launched before activating the object (Java code portion to be run and debugged). In the case where the Java VM is already associated with the object (ie, already activated) in the host machine which runs Java VM (single machine solution), VM activation is not performed before activating the object. This teaching combined with Bezviner meets applicant's invention as claimed.

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. A voice mail service is also available at this number. The fax number for this Group is (703) 305-9731.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Sue Lao
September 7, 2000

MAJID BANANKHAH
PRIMARY EXAMINER